DELEVAN HOUSE, ALBANY, Room No. 107, Jan. 16, 1875. 5

The Hon. T. C. Davis: The gentleman who made the offer of discount at Troy was out of town, so I failed to see him. I must rely on your exertions to collect the claim; will, immediately on receipt of money, pay to you or your order the sum of \$1,000, as stated. Please act with such promptingle as you may find practicable, and oblige.

Yours truly.

H. H. Vax DYCK.

The Deputy Attorney-General also testifies that he had been visited by the claimant or his agents; that he examined the question, became satisfied of the Controller's authority to pay the claim, and one day, when casually in the Controller's office on other business, stated to him that these parties had been to him twice, had rather excited his sympathies for their pecuniary condition, and that, if the Controller wished his views as to the objections to paying the award, he would cheerfully furnish them; to which the Controller replied that he didn't wish any opinion from Mr. Fairchild. He didn't want any opinion from anybody but the Attorney-General, "whereupon," says Mr. Fairchild, "I begged his pardon for having partially volunteered an epinton,

and went out." MR. THAYER ROBS THE CLAIMANTS OF \$3,500. From the testimony of Mr. Thayer and of the Attorney-General it appears that before Mr. Thayer had closed his negetiations with Mr. Van Dyck he had ascertained from the Attorney-General in person that his opinion was favorable to the payment of the claim. It also appears that the Auditor and Controller had a full understanding with each other in regard to the pressing necessities of the Baxter claimants and the various efforts making to remove the technical obstacles to their payment, but, unfortunately for them, Mr. Thayer could get the Attorney-General's opinion by which he put into his pocket \$3,500 that he was not entitled to, and for the want of which they were obliged to sacrifice the \$5,500 that they were entitled to. It does not | words: appear that Mr. Thayer enjoyed any facilities for obtaining opinions from the Attorney-General that were not equally enjoyed by the Controller, while it does appear that the claim was finally paid on the opinion of the Attorney-General, for which Mr. Van Dyck had to pay \$3,500 instead of \$1,000. [The testimony of Auditor Thayer is here given, in which his share in this transaction is fully admitted, though Mr. Thayer denies that he purchased the opinion of the Attorney-General. Extracts are given from the testimony of Controller Hopkins as THE BAD RECOLLECTION OF MR. HOPKINS.

Q. The question we would like to direct your attention to is how you came to make the suggestion to Mr. Van Dyck that the opinion of the Attorney-General would cost \$1,000, and why you said to him that Mr. Thuddens C. Davis was the person who could probably get it ! A. Let me answer these questions one at a time; I never rande any such suggestion to him that it would cost him \$1,000; I did mate the suggestion to him of the fact that Mr. Davis was coming through there, and I think Mr. Van Dyck suggested his name to me himself, having learned that he had burried up the Attorney-General's

learned that he had harried up the Attorney-General's opinion in another case.

Q. What case was that I. A. The case of the New-York and Canada Road, I believe it is called.

Q. but you in any form of apocca suggest to Mr. Van Dyck that there was but one person that you knew of who could get an opinion, or that there was a person who could get an opinion or that there was a person who could probably get an opinion! A. Not at all; I had mysel received opinions from him from time to time, but it is very difficult to get a written opinion.

Q. Didn'a't you receive an opinion from him in this yery case! A. No, Sir.

Case I. A. No, Su.

Q. He swears here—it is only fair to tell you—that he had given you his opinion. A. His written opinion I.

Q. He swears distinctly that you had his opinion, and you knew it, and that you had u't asked han for any other; now, is it the fact, or not, that he did give you no gral opinion that you had a right to pay it? A. No, Sir.

Q. He do, not f. A. No. SH.
Q. Did Mr. Filtrichild, the Deputy Attorney General,
advise year you had a right to puy it f. A. No. Sir; I
never tailed with him to my knowledge.
Q. He swears that you did, so that you are on record
the contrarticing each of them positively? A. I have no

it.
at of recollection we want to know: Mr
is that you did, and that in reply to him It it is want of recollection we want to know: Mr.

all dewears that you did, and that in reply to him
said it was the opinson of the Africacy-techeral that
want d, although you had been in the habit of auknis epinion f. A. I had of both of them.

Is that statement of Mr. Fairchild true or faise, acing to your recollection f. A. I have no recollec-

Q. Did the Attorney-General testify truly or not when

1875, advised you that you did have a right to pay it?

A. I have no recoilection.

Q. Having no recoilection of those facts, do you still wish to put yourself on record that you didn't suggest to Mr. Yan Dwes faat an opinion must be obtained and had been consided in a an analogous case at an expense to the parties of \$1,000 f. A. I have made any such expression.

Q. I am asking if you ever made any such suggestion if the fact is a suggestion, to the last of my recoilection.

A. As such suggestion, to the last of my recoilection.

Q. Will you swear how that you didn't suggest to thin that the optains migrat be obtained from the Attorney General incomit Traditions C. Davis's Nature 1 have no recoilection on the surject; noy impression is that he ment oned Mr. Davis's name to no hanself.

houself.
Q. He swears that he did not 1. A. My impression is that Mr. Dayle was reterred to him by somebody case.
Q. He says he was referred to him by you and nobody else; now, this if you are him not to compact the first fee to Mr. Trayer f. A. you size that.

O. Sec.
Q. Fod n't you deliberately put him off, not only once,
we set these times, but more! A. I tool into I must
ave no opinion from the Afterney-General.
Q. Answer my question. A. So. Sif.
Q. Lod you write to the Afterney-General! A. I did.
Q. Dal you ever send any locker, except through the
adding of this conduit. Thandens C. Davis, or by his

and A. I inink iAnswer the question. A. By his hand; he came to

he and sked for it.

O Dia you ever send any other t A. No. Sir.

Freshmeny of Arbortes scienceal Paste read to the wir.

Preshmeny of Arbortes scienceal Paste read to the wir.

ness, J. A. I would like to state that I was very nurshoust
to pay the chain, but was orden with other to frees, and
I melayed writing to the Arbortes-scienceal accordingly,

mathly a coursel to mer and Davis came in one evening,

to my house and he said: "Have you write in to the Ar
torney General? Mr. Van Dyes wants you to write to

him;" and I sat down right there and wrote the lea
tor. ANOTHER FORGETFUL WITNESS.

Q. Did you ever know a man by the name of Van Dyck I A. Yes, Sir.
Q. Dal you make a bargain with him to go to Syracuse

and got an opinion from the Attorney-General 1 A. No

Q. Did you take a letter in that case from Nelson K. Hopkins to the Attorney-General for an opinion and leave it on his table? A. No. Sir. Q. Or give it to anybody! A. Allow me to explain

that; I was going to Syracuse, and I took a letter addressed to Judge Pratt, and gave it to Mr. Brown, his pariner.
Q. Didn't you know what it contained f. A. No. Sir.
Q. Wouldn't you believe Hopkins under oath! A. Yes.

Q. Wouldn't you believe Hopkins under each? A. Yes. Sir.
Q. If he swere he wrote that letter and gave it to you?
A. No, Sir; I have no recoalection of anything of that kind; i surpose you will be me explain in regard to this Yan Dyck matter.
Q. Certainly? A. Then I can tell you Mr. Van Dyck was introduced to me in the State Engineer's office.
Q. By whom? A. By, I think, Nr. Green; I am not possifive; he then told me he had a claim against the state of New-York for something done about these haxier steam times; he said that the claim was in some respects irregular; that the Auditor and Controller—or the Controller—I don't know which, but as I recalled they both had declined to pay on account of the irregniarity; said he wanted his money very hadly, and that if could negotiate if for kinn in any way he would give ne \$1,000; I told him: "Mr. Van Dyck, if the Auditor and the Controller will certify that has thing is advicted, with the exception of that error, I can get you your money in the Controller will certify that this thins is airright, with the exception of that error, I can get you you moved in 15 m. autes;" be then asked me to took at the certificate, and be gave me, I suppose, a certificate of that character; he handed me a paner that purported to be signed by a committee, certifying that he had performed excitant things under the work; I took him, said I: "I don't think such a thing as that can be negociated at all;" no told me then that he was going to froy that afternoon, and I believe he said as was negotiating with a brother-the-law of his for the money, and that he would return about 4 o'clock; he went; when I not to the Delay in frome that evening—and I left town the same day—I found a better, which I have here in my pocket, from Mr. Van Dyck, to this effect;

which I have here in my pocket, from Mr. Van Dyck, to this effect:

DELAVAN HOUSE, ALBANY, Room 197,

Jan, 16, 1875.

Bon, T. C. Davis: The gentleman who made the offer of discount at Troy was out of town so I falled to see him: I must rely on your exertions to collect the claim, and will immediately, on receipt of money, pay to you or your order the sam of \$1,000, as stated. Please act with sum promptiside as you may find practicable, and oblige, Yours taily.

That I found at the Delavan House; from that time I mover saw Van Dyck; never speke a word to him in my life; had no connection with this matter, directly or indirectly, and the first I knew of my being connected with it is any way was through the newspapers.

Q. Let me read to you from Mr. Hopkins's oath. [Testmony read].

throny read; O you from Mr. Hopkins's oath. [Testimony read].

Q Now Sir, do you want to put yourself on record as contradicting it? A. I think I do; my recollection is right the other way.

Q. Your recollection is that Mr. Hopkins, when he testified that you went to his house, as he did, and got the letter there, he is mistaken? A. That is my recollection about it.

About ii.

Q. And your recollection is that he didn't write the letter in your presence? A. That is my recollection.

Q. And that he did not personally deliver it to you?

A. That I would not say; possibly he did.

Q. Do you remember it? A. No, Sir; but I think that, probably, he did.

Q. Did you receive any more as a second of the control of the co Q. Did you receive any money out of that transaction !

MR. DAVIS SECURES A \$1,000 FEE.

Almost cotemporaneously with these proceedings under the Baxter award, the Controller's office was the theater of another transaction, so closely re-

they mutually illustrate and characterize each other. Of this, also, Mr. Appraiser Davis is the here. In the act of incorporation of the Plattsburgh and Whitehall Railroad, the sum of \$70,390 was given as a subsidy to that corporation, contingent upon its completion to Ticonderoga. In 1872 that road was purchased by the New-York and Canada Railroad, and with it the equities of this appropriation. When the work was completed in the Fall of 1874, the President, Isaac V. Baker, applied to the Controller for his warrant for his money. Mr. Hepkins expressed his apprehensions that the appropriation had lapsed, some two days having intervened between the time fixed for the completion of the road and the passage of the act reviving the appropriation. The result of several interviews with the parties in interest was, that he would require the opinion of the Attorney-General. Early in December, Mr. Baker tells us, he came down to Albany, and in company with Joseph H. Ramsey and Senator Toby, waited upon the Controller, who reiterated to them his objections and the necessity of procuring the opinion of the Attorney-General, before he could pay. He declined himself to procure the opinion of the Attorney-General, and when one of the party-Mr. Baker is not sure whether it was the Controller or one of his companis suggested that there was a Mr. Davis who could procure the opinion of the Attorney-General, Mr. Baker replied he didn't know Mr. Davis. Thereopon, says Mr. Baker, the Controller remarked, "If you desire it, I will telegraph him to come." Mr. Baker said, " Do so, if you please." On the morning of the 12th of December, 1874, he received a dispatch from Mr. Davis, saying, "Meet me at the Controller's office this afternoon about 2 o'clock." At 2 o'clock Mr. Baker was at the Controller's office, and what followed we will give in Mr. Baker's own

what followed we will give in the rest words:

Q. You were then where! A. At home; I left at 11 o'clock and arrived at about two; I came down, went to the Controller's office and found Nr. Davis lying on the soft alone; he introduced hinself to me, or rather I said, "Mr. Davis. I suppose?" he said, "Yes," and pulled out of als poesset the written opinion of the Attorney-General and showed it to me; presently the Controller came in and I showed it to him and said, "Let and attactory" and he said, "Yes; that is all I want," or swords to that effect; he took the paper out to his depaty, so that he intelligence the paper out to his depaty, so that he intelligence the paper on which I was to draw the momey; during the papers for me I asked Mr. Davis how much I should pay mm for his trouble; he realied, "\$1,060;" and presently, hefore I had done anything toward paying lan, the Controller came in; I said. "Mr. Hopkins, how much shall I pay Mr. Davis!" he said, "Oh. I know nothing about that—say nothing about it; you must saftle with him;" he wen, our again and I see how to the falle and dow my milicidant check for Oh, I know nothing about that—say nothing about it; in must settle with him? he went our again and I set win to the table and drew my individual check for contain he gave me his venucier; presently the Combergame in with the papers for me to take to the casary, I went out, with the Controller's signature to

r Tobey refer you to Davis to get an opinof say.

don't know which of the three.
You know it was not the Controller, don't you? A.

Mr. Davis admits that he came to the Controller's Mr. Davis's account of this part of the transaction we will give in his own words. Being asked who signed the check he answered:

signed the chock he has were at the having seen him before of sines; he then said to me; Mr. Davis, what amount should I pay you? I took him I had seen a number of days away from my home and away from my busines; says be; Mr. Weed says 1 think he said Mr. Weed or his comment said—that I ought to pay you aloud \$500; 'I said that would pay, perhaps, well enough under contain circumstances, but I have been

Mr. Hopkins's version of the facts which fell

ithin his observation is given in the following testomony:

Mr. 1000 take to could not be some arranged shed me if the could take while the other takes were massed that conversation was not

the net are compiled with on the part of the railroad company.

We have please give me your opinion upon it, and much obtain, respectfully yours.

Nation K. Hoffins.

On the back of this is the following:

STRUETE, Dec. 11, 1874.

The Hon. N. K. Hoffins, Controller: I have examined the within maned act in compilance with your requisit, and am of the opinion that yer are obliged to pay over the meney to the railroad company upon being furnished with proof that the railroad company has performed according to the terms of act. I clurk etc.,

Q. This opinion is dufed the day after the letter purports to have been written; you say that letter was posted on the day it was written; you say that letter was posted on the day it was written; you say that letter was posted on the day it was written; to the four; now, I as the Str. I see it is changed there to the four; now, I cannot left when or how it went to Judge Fratt—wheher by until or by land.

Was be not here at the time you telegraphed to Mr. ist A. No, Sir; I taink not.

Are you positive about that? A. I didn't see him

LEGISLATIVE INQUIRIES.

CRIMINALS AND CRIMINAL PROSECUTIONS. SESSION OF THE ASSEMBLY COMMITTEE-AMOUNTS RETURNED BY DETECTIVES-EX-ASSISTANT DIS-TRICT-ATTORNEY ALLEN'S EXPERIENCE IN OF-FICE-GEORGE LISSNER'S ATTEMPT TO SECURE PUNISHMENT OF BURGLARS WHO ROBBED HIS STORE-TESTIMONY OF COMMISSIONER JAMES

The Assembly Committee on Crime began its sessions yesterday with the examination of Lindsay J. Howe, Commissioner of Accounts. He furnished the amounts returned by various detectives during the past six years, the amounts of fines returned by the Clerks of the Courts of Oyer and Terminer and General Sessions. and amounts deposited with the City Chamberlain. This showed that in six years Detective Elder returned \$1,135; Macdougal, \$1,330; Eustace, \$100; Kelso, \$100; Farley, \$275; McCord, \$100; Keirns, \$100; Walling, \$45; Dusenbury, \$275; Bennett, \$75; and amounts of similar range by other detectives. These accounts he stated to be correct. Henry C. Allen was then recalled. He said he wished

to modify some of his previous testimony. Where he had spoken of the Police Justices and the administration of criminal law he only referred to the times when these matters came under his personal cognizance. Persons frequently came to him in cases of constructive larceny or false pretenses, and said the Police Magistrates had decided that they must have recourse to a civil suit. A defeet in the criminal proceedings was that as the magistrates presided alternately cases were frequently began and then a week clapsed before they could be completed. He thought there should be independent magistrates for the Court of Special Sessions. The witness stated that he had known cases where persons high in position had interceded for burgiars. This was not an uncommon occurrence. Such applications were made because the accused person had been active in the service of a political party. In January, 1873, Hugh Gardner tried to get ball for a burglar, but the witness told him it was not proper under the circumstances. Mr. Gardner said it was curious that he couldn't get a little thing like that done. The Michael Norton case was then taken up, but Mr. Allen declined to give the name of the person with whom he had a conversation in regard to the matter of not trying Norton. He said that he understood an arrangement had been made by some Custom-house politicians that Norian should not be brought to trial, on condition that he would work for the opposite political party. When Reilly, a well-known criminal, was indicted, an with reference to election frauds, which had been prepared, were said to have been lost in the District-Attorney's office. The witness said that these affiday its had been furnished by Col. Wingate. and the witness caused them to be returned because they of losing them he appealed to the District-Attorney, who the papers, and left.

Q. There is one nonterial part, if you please, that you have not be a very explicit about; when you went into have not be a very explicit about; when you went into the other with Schator Foley and the other scattlement you have mained who was present in the Controller's office; A. I smould say more out the Controller.

Q. Was the Controller there i. A. He was waiting for the controller there is a season and the controller.

When the Controller there is a season and the time. With regard to the coart which was made to G. Was the Cestroner Gere.

Who made up the party? A. Mr. Ramsay, Senator Toocy, and myself went over; he had not come down from his house, for he wasn't very well; we stood on the vestballe to his office and mer him, and returned with him into his office; this conversation was held in his office; the conversation was held in his office; the Centroller's, and no one clear present.

Q. Who was present beades you? A. Senator Ramsay, Tobox, and myself. indictments were returned Duryce's name was scratched

mare no recollection about it; I know it came up in persation; that Mr. Davis would be the proper managers than that Mr. Davis would be the proper managers that Mr. Davis would be the proper manager Prison at Sing Sing. Before January, 1874, ne had no doubt that any prisoner who had money could be released. Prisoners were frequently transferred from one prison to another in order to prevent their escape, and Mr. Davis admits that he came to the Controller's diken, by means o money, they were retransferred. The barder from him to the Attorney-General, obtained in Waterfewa; he was sentenced to 10 years' impulsonment. One of the number was wealthy, and through this part of the transaction they were taken to Sing Sing. There they made a controller was sentenced to 10 years' impulsonment. One of the number was wealthy, and through this they were taken to Sing Sing. There they made a consparney, and were not at work on a dock from which they were taken by a tug which they had chartered for the purpose. Sophia Locawood, a neioribas shop-lifter, chiered a carriage at the dust of the Warden's effice and made her escape. A largest named Outhouse was once discharged, but was replaced and is new employed; the time when prisoners are received and discharged is not known in the District-Attorney's office; the Worden used to say that a sentence began when the sentence was given; the witness knew a case where a man was renteneed for two years, and he was kept in the Torabs for 11 months; sometimes this was done by a stay of proceedings, or by influencing the sheriff; there was no good reason why receivers of stolen goods should not be punished; it was generally difficult to care a them; to punish the receivers would be 10, 30 a. in. good way to stop scanner, but he escaped; the goods were found in his possession, but he escaped; the near practice was to get the thief scattened. The wit-ness stated that burglars obtained hall without difficulty. Frequently the receivers of the goods furnished ball and obtained formed for burglars. Mrs. Mendelbaum, a no-torious receiver of stolen goods, had a geneles in all the

produce steep response the convents of the color of and the color of th prominent cities. The great bond forcerfor were then taken up. These it to the Atoracy trement's either in Abbany? A. He's rarely here.

The state of the time you telegraphed to Mr. Daylard A. No. Sir; I think not.

Q. Are you positive about that! A. Idda't see him here.

Q. Did you send up to make the inquiry at his offlect. This seems that they were all the time in of the occurrence. Handwire, when found, agreed to go where the gloves he was because they were the state of the time at the time and the was hed here; but it is possible he was, because they were the state of the time. A. I am quite certain he was hed here; but it is possible he was, because they were the state of the time. A. I am quite certain he was hed here; but it is possible he was here.

Q. But you say you had previously telegraphed for Mr. Q. But you say you had previously telegraphed for Mr. Daylas! A. Lifink! I had; that is my impresson.

Q. The object of my qui saidan is to find out his—before you telegraphed to Mr. Daylas to sain down here, did you had not before the was here.

Q. The object of my qui saidan is to find out his—before you telegraphed to Mr. Daylas to sain down here, did you had not before the was here.

Q. You didn't inquire to find out! A. He is so rarely here that we generally see him when he does come; I am not positive whether he was here or not; I soppose he was in Syracuse.

All which is respectfully submitted.

John B. G. Ellow,

DANIEL MAGONE, Jr.,

A. E. OBR,

JOHN D. VAN BUREN, Jr.

A. P. Correspondent to the previously of the control of the contro

sentenced three times. Mr. Lyon seemed wholly indifferent to the case. He even went to the Judge and asked if he should press the case for a conviction. Mr. Lynchesald he had no doubt that the girl's story was true. Afterward one of the jarors, Patrick Healy, came to him and said he had never consented to a verdict of not guilty, and was very much surprised when such a verdict was rendered.

Thomas Kenealy, the policeman who is stationed at Castle, Garden, who take Fliza Couling to the District

rendered.

Thomas Kenealy, the peliceman who is stationed at Castle Garden, who took Fliza Coilins to the District Attorney's office, said that he thought Mr. Lyon did not conduct the case very well, but he had been told that he prosecuted it to the best of his ability; from this he inferred that Mr. Lyon didn't have much ability.

Patrick F. Burns, an osheer of the Thirtieth Precinct, testified that he arrested the burglars. Crosby and others, who were admitted to bail and not tried. They were notorious burglars, and the bail on which they were released was "bogus." Superintendent Walling said that he couldn't arrest them again without a bench warrant. This was refused him. Then he arrested them again and brought them to the District-Attorney's office, where the indicament was placed in his hands by a tall, stout man, with a black hisostache. The prisoners were then taken to the Tombs, and after a bonel warrant was procured they were imprisoned. He was teld in the District-Attorney's office, where the indicament has placed in his hands by a tall, stout man, with a black hisostache. The prisoners were then taken to the Tombs, and after a bonel warrant was procured they were imprisoned. He was teld in the District-Attorney's office that the case had been settled "down below" for \$2,700. When he asked what "down below" meant, he was told it referred to the percinct. Mr. Clark said that a beach warrant was in the hands of Field & Connor. It was three hours after this that he made the arrest. Detective Field, the witness said controlled the Fifth Precinct.

The Committee then adjourned to meet on Wednesday, in the Ludlow Street Jail, at 11 a. in.

THE WATER SUPPLY. TESTIMONY OF CHIEF ENGINEER CAMPBELL BEFORE THE SENATE COMMITTEE-PLANS OF THE DE-PARTMENT THWARTED FOR WANT OF FUNDS.

The Schate Committee for the Investigation of City Departments met 3 esterday merning at the Fifth Avenue Hotel, Hugh Auchineless, the foreman of the Grand Jury that found indictments against ex-Police Commissioners Charliek and ner, was the first witness. After ide ex-Pelice Commissioners Charles and Charles ner, was the first witness. After identifying the indictments, he testified that John Kelly called at his office and stated that he wanted the persons named in-dicted for malfeasance in office. Soon after this, the witness called the attention of the Grand Jury to the matter, and the indictments were found. Chief Clerk Hawley was called, and testified that at the time the question was brought before the Police Board, all the members of the Board were present, and took part in the proceedings.

John C. Campbell, Chief Engineer of the Croton Water Aqueduct, was the next witness. He stated that he had

been Chief Assistant Engineer prior to Sept. 1, 1874, when he was appointed to his present position. He thought the water was sold at a lower rate here than in any other city in the United States. The supply was about 100 gallons per day for each person. The wastage was not as great as in Chicago. The witness had under his inspection mout 340 miles. The water in the ity was oneswally low last Spring, owing to excessive drafts made upon the reservoir. All applicants for work would present to him a ticket in a scated cuvelope, the ticket containing the name of the applicant. Beyond this he knew moding in regard to the men engaged. About 300 menawere employed on the bane pines. The contracts for the pines were made by alversing and then accepting the lowest responsible bibliot, the details being first arranged in the Engineers office, after which they, were substitled to like Corporation Counsel before they were closed. In the lower states of the city the water had to pass through such a long distance that it loss touch of its pressure, and thus, while it was those, it was not available to the same extent as in the higher wards. The largest pipe in the city was fowe feet in diameter, there were two that had a diameter of three lect, and several that were 20 to 30 inches in diameter, one of which passed down Third-ave, and another down Eightliave, as far as Fourteauthed. Most of the large mains did not some below Four enthiest, although there was one 3 feet main which passed down Third-ave, thereo a 30-lock main period down the Bowey and Charlamet. The neighborhood of lirendway, below a Fullent and with the present and different main and for protection will be proved in a different main and for protection will be proved in a different main and for protection will be proved in the protection of the proved in the protection of the protection of the protection of the protection and the protection of the protection and the protection of the protection of the protection of the protection and protection and prot 30 dock mula parsol down the Bowers and Chatham-t. The neighborhood of Brondway, between Fallon and Vallotte, depended on a 24-line main, and for protection in case of a large fire in that vicinity the witness flought twends be safer to baye more large place. If the Pe-sartment had been acceptable in securing \$500,099 which had been anticipated, a 20-men main would have

clad it Nassaust.

en complaints had been made, the witness continued,
in the madequote camply of water in the houses,
did not toink they could get water above
second story in the fover part of the
The manusche companion had repeatedly
ited for an actificiant supply of water, is
any during the pass of Spring. The difficulty
the Department during the pass of year had been
if had no money. Out of the mount allowed by of the Department during the present year had been that it had no money. Out of the amount allowed by the Borert of Estimate and Appertionnent, the intention was to lead a mine mann down Philipset to commute the large pipe on Pughterbest, and down the Eart side, besides bying some in the new words. He considered water than he, and of the Bra

is manifested in the Fair by "outside" dealers. Yesterday's sales were very light, and not at all up to the expectations of the managers. They are hoping, however, for better results next week, when, it is expected, the out-of-town buyers will arrive. The sales will probably not equal those made at the Fair in July, which amounted

to \$250,000. The Fair of the Stationers' Exchange nominally opened yesterday, although no business of importance was transacted. Very few firms are as yet represented. The transacted. Very few firms are as yet represented. The manager, Mr. Geyer, does not appear to be very hopeful of the immediate success of his experiment, but he predicts that the sales during the year will be large enough to insure its continuance. Messes, Anthony & Co. have some chromes and photographs already mon exhibition. Messes, Aiken, Lambert & Co., gold pens: Fendexter & Co., bronzes, and Dennison & Co., nake a fine disptay of goods. Other offices are rapidly alling up. When the arrangements are completed, the rooms, on account of the variety of articles on exhibition, will present a very arrangements are completed, the rooms, on account of attractive appearance

A little five-year-old friend, who was always allowed to choose the prefitest kitten for his pet and playmate, before the other carsings were drowned, was taken to his mother's sick-room the other morning to see two tiny, new, twin babies. He looked reflectively from one to the other for a minute or two, then poking his chubby fineer into the check of the plumpest baby, he said, decidedly, "Save this one."

"What keeps Mr. N.——from kirk, James 1" and a worthy minister. "I hope it's not dethodism." No," responded the verger; "it's something worse than Methodism. "What then! Is it Calvinism?" "Worse, your reverence, worse?" "Surely, James, It is not Deison?" "Much worse, an' it please your reverence, than even that." "Good heavens?" said the astomated pastor, "can it be Athelan which deprives us of the best churchworden that ever shook a box?" "Truly," responded plons James, "'tis a much more serious matter; it is riceumatian." "What keeps Mr. N --- from kirk, James ?"

THE COURTS.

THE OCEAN BANK ROBBERY. TESTIMONY IN THE SUIT OF SAMUEL M. ARCHER-WARNINGS GIVEN OF THE UNPROTECTED CON-DITION OF THE BANK-DISCOVERY OF A BUR-

GLAR IN THE BUILDING BEFORE THE ROBBERY. The trial of the suit of Samuel M. Archer ngainst the Ocean National Bank was resumed yesterday in the United States Circuit Court, before Judge Wallace. Action in the case was brought to recover \$10,000, the value of Government bonds which Mr. Archer had on deposit in that bank when it was robbed in July, 1869, through, it is asserted by Mr. Norris of counsel for the plaintiff, the direct instrumentality of Columbus 8. Stevenson, then eashier. The words "The Ocean National Pank," in the title of the case, mean, in the language of the law, the stockholders in, and the directers, and they, it is alleged, in the event of the plaintiffs winning the case, must make good his loss. The directors are considered to be culpable, because, it was asserted by Mr. Norris, they allowed Mr. Steven and other officers of the bank to conduct its affairs in a very negligent manner. There is a strong disposition to keep the names of the directors from the public. When applied to for them Mr. Norris said that they were not contained in the pleadings, and that he did not remember them. Mr. Bangs, who conducts the case for the defence, said that he did not think the "respectability of the directors should be impugued by publishing their names in connection with this case." A gentleman, however who, it is stated, has considerable knowledge of the case, says that among the directors of the bank when it was robbed were Henry N. Morgan, D. W. Wagstaff, Col. Adams, D. R. Martin, A. A. Martin, Johnathan B. Eqwards, now dend; Columbus S. Stevenson, and James E.

The testimeny introduced yesterday was for the purpose of snowing that proper precautions against burgiars were not taken by the officers of the bank. Edgar E. Holley, an insurance agent, testified, in substance, as follows: Some time before the Ocean National Bank was cobbed, in 1869, I was in the vaults with Mr. Martin, its President, and Mr. Stevenson, its Cashjer; Mr. Martin temarked upon the strength of the vaults, and said that no barglar could enter there. I told Mr. Martin that the appliances postessed by burglars would enable them to go through the vaults as easily as a man could put his linger irrough a piece of brown paper, and said that, for the safety of the bank there should a night watchman. Mr. Martin replied that such a watchman would be use less, as the bank was safe without one. I teld him that less, as the bank was safe without one. I ted him that a detactive named Marphy would be a good man for the pirce, and that he could be had for \$1,200 a year.

If was stated that Mr. Holter was an agent for the Globe Fire fearmane Company in 1869, and that this Company had an office in the banking occupied by the tecan National Bank. Some time before the bank was robbed Mr. Rodey informed Mr. Martin that the marrance company was about to mave, and that he must look out for the cutter premises himself.

The witness time continued: In the Winter of 1868, Martin tool me that a man had been discovered in a close!

ing sinish from the Mr. Bangs here questioned the witness at length upon so private habits. The witness afterward stated that he commonded Murchy as a night watchman for the bank, the has anse he was his friend and he desired to get him good place, and because he wanted the bank property The next witness was William G. Phillips, a private de settye. He restlict as failures : In 1999,

The next witness was William G. Phillips, a private de-tective. He besided as follows: In 1869, I was Sergenn of the Twenty-seventh Precinct; the Ocean National Bank was in that precinct, and I was on dely the might it was broabed; about one menth before the robberty I fold Mr. Stevenson, the cashier, that I considered the bank compactified unpronected; Mr. Sevenson replied that he and buthing to do with the matter, and referred the to Mr. Martin, the President; about a week after this I fold Mr. Martin that the extenden of the bank should be before protected; that I had seen "Dubch" Heinrich and other stemploms characters around the bank, and be setter protected; that I had seen "Dutch" Heinrich and other stephious characters around the bank, and that Refused Dougety would be a good man to take character by the first had been been that for wish to make any shance, as he did not consider it here exactly sum that he would see me again; at another time I told all. Martin that refer Great, the janitor of the bank, was not a proper person to look out fee it; that I say him going into the bank one sanday morning drunk, and that On cross-examination, the wirness stated that the bank

Concress-examination, the witness stated that the bank was robbed on Smally night but the robbery was not too amintee them adjourned until Monday, at 10,30 a.m.

THE PITTSBURGH EXHIBITION.

A HOME ENTERPRISE—DISPLAYS OF MANUFACTURES AND WORKS OF ARE.

[FROM A STATE CHARLESPENDENT OF THE TERRUSE.]

PITTSBURGE, Penn., Oct. 17.—The cuterprise shown by the business men of table city in organizing in many and exhibition on the robbet of the state of sale and any portange and exhibition on the robbet of the state of sale and any portange and many about indiagra man in a closet of that bears, and about the tournars effecting an entrance formatter than the business and the control of the formatter and been providing around the business.

AND WORKS OF ARE.

PITTSBURGE, Penn., Oct. 17.—The cuterprise shown by the business men of table city in organizing in the estimony meant indiagra man in a closet of that bears, and about the tournars effecting an entrance formatter and been providing around the business of the table of the provided the President tools have to more and officer of the Mattern Sale.]

ARGUMENT CLOSED IN THE CLAFLIN CASE. DECISION EX-PRIVED-POINTS PRESENTED BY ME. EVALUE AND ASSISTANT U. S. DISTRICT-ATTOR-

The Court then adjourned until Monday.

In the United States Circuit Court yesterday Assistant United States District-Attorney Fosfer repited to the argument of William M. Evants on the motion to mash the indicuments coursing A. B. Ciallin & Co. with buying, reling, and facilitating the concealment of energical siks. The main objection urged against the adiotments was want or particularity, and Mr. Fester estricity and precision is required than at common law; that it is sufficient in general to employ the exact language of the statute; that the ordinary requirements of indictments as common law were centained in those ecessories to felonics that the offense of the primary

accessories to folonies that the offense of the primary offender requires circumstantial recitat. Mr. Foster also supersted that the generality he the hedicantals could be met by a fell to particulars, should the Cours, upon affidavit, see fit to order if.

In his bright to III. Foster, Mr. Evarts argued that such barge dealers in slike as H. B. Cladia & Co. might purchase summered goods without knowing that they had been somewise goods whether knowing that they had been somewise goods whence the first tward discover that the goods had been entered contary to have five relating of the position taken by Mr. Foster, be claimed that in cases where persons are charged with disable in goods when they know as the time had need sampeled, they were centified to information containing all the particularity of the alleged someging, and that without such information they should not be colled upon to defend themselves before a petil jury. Mr. Evaris then recapitalised the points made by this on Wednesday and Thursday, and inspect that they estimished beyond a doubt that the indictments should be quasified for want of particularity.

This coosed the argument in the case, and Judge Benedict reserved his decision.

THE STATEN ISLAND FERRY WAR. PRESIDENT PENDLETON SENTENCED TO IMPRISON-

MENT AND FINES-PENALTIES AGAINST THE NORTH SHORE AND STATEN ISLAND COMPANIES. In the suit brought in the name of the Peode of the State and the Mayor against William H. Penston, being a pendent to the suit of the city against the Staten Island Ferry Company and the North Shore Staten Island Ferry Company, Judge Speir, in Superior Court, Spécial Term, has granted an order to imprison Wm. H. Pendleton, President of both the defendent companies in Ladlow Street Juli for 30 days, and fluing bim \$250. In he chief suit, Judge Van Vorst decided that a ferry could only be maintained by license of the city authori-iles, and that the Steten Island Ferry Company, acking that license, must be enjoined. Thereupon, the managers of that Company transferred their boat, the D. R. Martin, to their Fresident, Mr. Pendieton, who was also President of the North Shore Company. The order finds that this was an artful contrivance to conceal the intentions of the compenies, and that in taking part in that, and permitting pier No. I, East filter, leased to the North Shore Company, to be used for the Staten Island Ferry, Mr. Pendieton was guilty of a coatempt of court, for which this punishment is Imposed. Henry E. Davies, who is counsel for the Staten Island Entirons Company, in other proceedings was counsel for the People in this. Sidney S. Harris and John E. Burrill appeared for the defendant.

In the other suit against the ferry companies, each corporation is fined \$250 and costs. the managers of that Company transferred their boat,

CONVICTION OF SAMUEL MCMURRAY. In the Court of Oyer and Terminer, yesterday, before Judge Barrett, the trial of Samuel McMurray for killing William Doyle, was taken up. The evidence for the prosecution was that the prisoner's wife, sleeping at the time with a girl named Margaret Hamilton, woke about 2 a. m. on Aug. 22 and found a strange man in the room. She called her husband and the man ran off. The husband, pursuing, came across Doyle, who was sleeping on the stairs, seized him, had a struggle with him, in the course of which he called to his wife to bring him a stone. She brought him instead a knife, with which he stabbed Doyle fatally. The prisoner's own atory was that the deceased was a confederate of the

men who entered his wife's room, and that when be started to pursue, him Doyle faced him and ent his hands, and that in extremity he cut him with a table knife. McMarray was convicted of mandaughter in the third degree, and sentenced to State Prison for four years. His wife, who, it was alleged, assisted him in the crime, was discharged.

THE CALLAHAN MATRICIDE.

The trial of Thomas Callahan for the murder of his mother was ended yesterday before Judge Barrett, in the Court of Oyer and Terminer. The charge was that in a drunken quarrel between the prisoner and his mother he latentionally beat her to death. The defense was that in her drunkenness she fell and sustained the murica which resulted in her death. The case was summed up by District-Attorney Paelps for the prosecution, and Wm. F. Kintzing for the defense. Judge Ear-rett in charging the jury priefly reviewed the evidence, and charged distinctly that intoxication was no defense for crime. The jury found he prisoner guilty of manstaughter in the second degree, the definition of which is killing without intent, but in a cruel manner. The Judge sentenced the prisoner to seven years in State Prison.

ANOTHER SUIT AGAINST DUNCAN, SHERMAN

On application of ex-Judge Cardozo Judge Curtis, in the Supreme Court, Special Term, yesterday granted an attachment against the property of Dancan. Sherman & Co., at the suit of Sighmund Badeau. The suit is for \$3,938 86 deposited with the firm July 15, 1875, and the complaint clarges that the assignment by the firm was void, as being fraudulent against some classes of creditors. THE LETTER OF CREDIT FORGERIES.

Edward Hall was discharged on Wednesday,

by Police Justice Wandell, from arrest on a warrant ensing him of having forgod letters of credit on the Bonk of British North America. Hall was rearrested for the same offense, and taken before Commissioner Osborn resterday, who held him for examination on Monday. The complaint in the case before the Commissioner was made by the British Consul-General at this port, who seems the extradition of Hall under the treaty between the United States and England.

CIVIL NOTES.

In the Superior Court, Trial Term, before Judge edgwick, the suit of Fmma K. Ribler against the World duing Life insurance Company resulted in a verilet for daintiff for \$1,636,35.

Chief-Justice Richards of Canada, occupied a seat yesterday by the side of Judge Benedict in the United States Circuit Court. He listened very atten-tively to the reguments on the motion to quasa the in-dictments against H. B. Claffin & Co.

In the trial term of the Court of Common thems, before Judge J. F. Daly, the suit of Edward M. Knox set. Eibert Nostrand was begin pestenday. The suit grows out of a bid of exchange for \$1,340, drawn to the order of Dr. Gabar Nephegyl, at one time on Santa Anna's staff. The case is still on.

In the suit of Cumberland G. White agt. Algernon S. Baxter, reported in yesterday's Tunst Ns. a motion was made before Judge Monell, trying the case in Superior Court, Trial Term, to dismiss the complaint on the ground that on its face the earrying of slock was no consideration for such an agreement as that alleged by the plaintiff. Judge Moneil denied the motion. In the suit of Griggs agt, Jarvis, the facts

of which were reported in THE TRIBUNE of yesterday,

Judge Larremore, in the Equity Term of the Court of Common Pieus, has decided that the plaintiffs, having al-inwest a justiment to go by default in a justice's court that hey were everyed for non-payment or 8,000 rem, are precluded from denying in any form that may owe that rent, and therefore dismisses their comparint. The complication which has arisen out of Col. James E. Kerrigan's refusal to testify before the Police Commissioners was twice before Judge Lawrence,

I Supressed Court, Crambers—ence of a question when his answers to interrogatories should be filed, and once on a rootest by a deputy alterial to be excused for not producing bith in court on Thursday. Judge Lowrence, with some show of impathence, directed the whole matter to be heard before him to-day. In the suit of The People ex rel., Floyd agt. Alfred T. Coukhu, brought to evict Mr. Couklin from the presidency of the Mechanics' and Traders' Savings Institution, Judge Donobue, in Supreme Court,

Chambers, has decided for the defendant, heiding that the re-lection of Mr. Conklin to the presidency was equivalent to his reflection as trustee, and as it occurred after his alleged acceptance of a directorship in mother company, it renders it unnecessary to inquire whether or not no forfeited his position in the Savings Institution. The suit of Marie A. Becket agt. Albert S. Odeil was tried yesterday before Judge Denebue, tu Supreme Court, Circuit. The suit was for rent on a lease. The defense was that the plaintiffs never had possession of the previous, they being continuously occupied by a person from whomathe plaintiff had accepted ren; and treated as temant dutil he failed to pay his run. The jury found a verdict for plaintiff for \$751. Judge Dono-

one promptly set uside their verdict as contrary to evi-lance. Mitchest & Mitchest appeared for posintist; Asia-on & Shaw for deferriants. In a suit by William Barker, as administrator of Smith Barker, against the estate of John Pentz, of which smith Barker was in his life time trustee, a motion was made vesterday before Judge Lawrence, in Supreme Court, Chambers, that the administrator file a bond for costs. The suit is for about \$20,000, which, it is claimed. Smith forker over-advanced to the estate. The default

CRIMINAL NOTES.

At the Washington Pince Police Court, yesterday, olm Williamson was held in \$1,000 had for stealing four researched at \$42 from the house of Mrs. Mins Bonin, of 6,84 Sixth ave.

No. 84 Sixthare.

In the Court of General Sessions yesterday, criminals were sentenced as indicas: strongen Malley, assend with intent so kill John S. Smith, for annu of the stone entires in Cratral Pars. 10 years in State Prison: Heary Leslin, burdlar, the verts in State Prison; James Burns, picking pockets, we years in State Prison.

a, two years in State Prison.

Charles Williams, who is under examination in a scient for having, who is under examination for a scient for having, as emplain of a steam tag, caused a sail, by a careless collision in the author, applied by habinat groups to duste flargest, in the tourt of specially forming, a seriesse. It appears may be take that his case who are examination, the write was domined and he was re-

DECISIONS-OCT. 22.

Supreme Court-Chambers-By Judge Lawrence,

Superior Court—Special Term—By Judge Speir—The People, &c. ex rel. The Mayor, &c. axt. Pendicion—Deller for imprisonment and invoseing fine for contempt. The Mayor, &c. syl. The New York has Staten Island Furry Company et al.—Drier pressure the for miscreduct, &c.

By Judge Predman—Willow agt, Morrell, Printed case uncrea on the and more test to the prigment tell.

Common Pleas-Equity Term-By Judge Larremor-Burne ogt, Murphy, Findings and decree signed. Drig et al. agt. Jarvis et al., Complaint dismissed; 30 mays stay. THE TEXAS CYCLONE,

HISTORY OF THE STORM AS COMPILED BY THE SIG-NAL SERVICE BUREAU. The monthly weather report of the Signal

ervice flureau for September, among other things, sives the course and meteorological history of the great Texas cyclone. The most important parts are as follows: The cyclone was first observed in latitude 13°, longitude 17°, and was last observed in latitude 38°, longitude 6º cast; the coordinate of the vertex of path was lati-

tude 282 30, longitude 192 30, west; mean velocity per

hour, 19 miles. Although this storm is not traced on the chart further to the eastward than the western portion of Cuba, reports recently received indicate that it originated east of Barbadoes, where a severe tornado oc curred on the morning of Sept. 9. Succeeding reports turbances in that region until the afternoon of Sept. 12, when the storm had reached the eastern portion of Caba. On Sept. 13, a violent hurricano occurred at Santiago de Cuba, and the baromeier at Key West had fallen to 29.81, with a brisk nerth cast wind. By midnight, the wind had increased to a mirheast gale, and the barometer had fallen to 29.74. The morning report of Sept. 14 showed the center of disturbance to be westward of Key West and Havana. On Sept. 15 and 16, there was a continuous westerly movement of the center, the progressive velocity being returded as the storm approached the vertex of its path. From 1 p. m., Sept. 15, to 2 p. m., Sept. 17, its mean velocity was eight infles per hour. During the slow progressive movement the velocity of rotation increased to 88 miles per hour, when the cube of the anemometer at Indianola were carged away. This storm is the most severe which has occurred in the United States since the establishment of the signal service, and has not been paralleled since the tempest which prevailed between 8 pt. 27 and Oct. 10, 1837. The northern half of the carve of the storm passed directly to the northers, crossing the coast line near Norfell. During the elasterly movement the center of depressing gradually changed to an elongated ellipse, and the velocity of rotation was materially retarded, while the center remained on the continent. It, however, left the Atlantic coast, producing heavy gales and marine disasters on the Jersey coast. Recent reports from the seven to nine days after the storm left our coast, indicate that this depression may have crossed the Atlantic.

During the continuance of this storm in the Gulf, a secondary depression may have crossed the Atlantic.

During the continuance of this storm in the Gulf, a secondary depression may have crossed the Atlantic. turbances is that region until the afternoon of Sept. 12, when the storm had reached the eastern portion of Caba.